



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**March 18, 2019**  
**7:00 P.M.**

**Selectmen Present:** Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 7 p.m.

**PRIMARY:**

\*\*\* **APPOINT CHAIRMAN**

Ms. Bates nominated Mr. Baker to serve as Chairman. Mr. Kenison seconded. Mr. Baker – Abstained, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 2-0

Mr. Baker wanted to make sure that the Selectmen knew the importance of their contribution in the discussion of the topics that would come before them. Mr. Baker note that in his role as Chair, he needed to step back.

\*\*\* **APPROVE MINUTES**  
**- March 4, 2019**

Mr. Kenison made a motion to approve the minutes. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

\*\*\* **APPROVE MANIFESTS**

Mr. Kenison made a motion to approve the manifests. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

\*\*\* **REVIEW SIGNATURE FOLDER** – The Selectmen reviewed and signed.

\*\*\* **DISCUSS COMMITTEE APPOINTMENTS**

Ms. Favreau shared that the Selectmen needed to determine which committee (Planning Board, Zoning Board of Adjustment or the Historic District Commission) they wanted to serve on as the Selectmen's Representative. Ms. Bates was interested in serving on the Historic District Commission. Mr. Kenison wanted to stay on the Planning Board and Mr. Baker would remain on the ZBA. Mr. Baker explained that a Selectman serves on the Budget Committee as well. Ms. Favreau shared that this appointment could wait until closer to budget season. The Selectmen agreed. Ms. Favreau explained how notification of the meetings were handled.

\*\*\* **DISCUSS SELECTMEN'S MEETING ON MARCH 25, 2019**

The Selectmen discussed an alternate meeting date instead of March 25<sup>th</sup>. After discussion, the Selectmen agreed to meet on Thursday, March 28<sup>th</sup> at 9 a.m. Ms. Bates asked if the Selectmen would agree to accept the proposal from Mr. Drasba via e-mail. The Selectmen agreed if it doesn't exceed \$20,000.

\*\*\* **PUBLIC HEARING – ACCEPTANCE OF LCHIP GRANT & MOOSE PLATE GRANT**

Mr. Baker opened the public hearing at 7:15 p.m. and the public hearing notice was read. The Moose Plate and the LCHIP grants were discussed. Ms. Favreau gave Ms. Bates an overview of the grants.

Mr. Kenison made a motion to accept the LCHIP and Moose Plate Grants. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

There being no further comment, Mr. Baker closed the public hearing at 7:18 p.m.

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### **7:15 MEET WITH DAVE DRASBA - Historical Assessment**

Mr. Drasba shared that Lynne Monroe, Historic Preservation Consultant, was willing to work in a team effort with him and they would do a 60/40 cost split between them. Mr. Drasba contacted Andy Bibb, Structural Engineer to let him know we might need additional work. Mr. Bibb would get a proposal to Mr. Drasba in the next few days. Mr. Drasba shared that Ms. Monroe thought this would be a \$20,000 report. Mr. Drasba also expected it to be somewhere in that range. Mr. Drasba noted that he expected to be able to credit back to the Town the \$2,500 that was spent on the steeple assessment in 2016. Discussion continued on the reports that were done earlier and that the inspection needed to identify any additional work that would be needed to help create the report. The column work and the steel beam needed to be added to the report and the rationale for completing the work as recommended, which isn't to LCHIP standards. Mr. Drasba mentioned the biggest challenge was the timeframe for completion of the report. Ms. Favreau reviewed the schedule for applying for an LCHIP grant. Mr. Drasba shared that he needed 6-8 weeks to complete the report. Mr. Baker thought that if we defer applying to LCHIP, the work would begin and it wouldn't be done to LCHIP standards. Mr. Baker felt it was important to apply this year because if we wait the work would be done. Mr. Drasba reviewed the process for approval of the report by LCHIP. Mr. Kenison asked if there was any way to shorten the 6-8 week process. Mr. Drasba shared that 6-8 weeks was a fast schedule. Mr. Baker asked what the downside was to applying. Mr. Drasba noted that submitting an intent to apply doesn't mean that the Town has to apply. Mr. Baker discussed the importance of having the report. Ms. Bates asked if the \$750,000 had been approved. Ms. Favreau explained how the funds have been asked for at the last few Town Meetings. Mr. Baker gave Ms. Bates a summary of the steeple project to date. Mr. Baker would like to apply for the grant. Mr. Kenison mentioned that Jay Southgate's e-mails have identified materials that he would use. The concern is that the work that Mr. Southgate would do wouldn't be acceptable to LCHIP.

Ms. Bates asked that the proposal include the timeframe for the work to be completed. Mr. Drasba shared that if he could get the report done in 6 weeks he would, but he would give a not to exceed time frame – which would be 8 weeks. Mr. Drasba explained the application review process at LCHIP. Ms. Bates asked Mr. Drasba if the Selectmen would see the proposal by week's end. Mr. Drasba would get it to Ms. Favreau. The Selectmen agreed that they needed to approve moving forward so as not to hold it up.

### **8:00 MEET WITH VILLAGE COMMON COMMITTEE MEMBERS - Follow Up**

Barbara Brook, Carole Beckwith and Gene Cuomo met with the Selectmen to give an update. At the committee's last meeting, they addressed the tree that needed to come down. A citizen objected to taking it down due to birds that use it. They would like to place a temporary tree in the center and relocate the flag pole to where the existing tree is now. The electrical work would need to be done for the Christmas lights on the tree. Mr. Cuomo shared that it wasn't a problem to get electricity close to the tree and mentioned it would be seen because it would need to come up above the ground. Ms. Beckwith spoke with someone from Windswept Farm about the cost of a tree, which was typically \$150 - \$250. A town resident mentioned the possibility of donating a tree. Committee members would like to do this to get through the first year to see where it should be located. The committee also thought of using a cut tree each year. Mr. Baker asked if there was a reason for taking the existing tree down. Mr. Cuomo shared that it has grown into the wires. April 10<sup>th</sup> would be the committee's next meeting at which time they would discuss the use of the common. Ms. Beckwith asked Mr. Cuomo about the flag. Mr. Cuomo shared that the flag pole would be refurbished with new pulleys and paint. Ms. Bates mentioned that a flag should be lighted. Mr. Cuomo discussed running wire off of the existing electrical box to put where the new tree would be located.

Ms. Beckwith discussed rehabbing the fountain. An estimated cost of restoration was \$1,200. Ms. Beckwith would get an estimate and come back to the Selectmen. She was willing to also put an article in the newsletter to raise funds for this project.

The fence painting wouldn't happen until spring and the committee would have volunteers to help. The Garden Club was going to replace the planters at the end of the common but they decided not to do it this year, which Ms. Beckwith thought was a good idea especially with the work to be done on the common.

Ms. Beckwith asked Mr. Cuomo if he would look into the flag. Mr. Baker asked if there were funds available to the Common Committee. Ms. Favreau shared that there was \$6,100 and the fund description was changed to also improve the Depot. Mr. Kenison asked if they could work on a tree in the Depot. Ms. Beckwith shared that they could work with whoever maintains the Depot. Ms. Favreau shared that the Commissioners of Plante Memorial Park took care of the Depot and the Commissioners were: Greg Mattson, Edwin Mattson, Jr. and Jodi Mattson. Mr. Baker thought this would be a good solution for them too.

Ms. Beckwith would get an estimate and come back to the Selectmen. Ms. Bates asked her to draw up a layout of where the tree would go.

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### 8:15 MEET WITH SUZANNE GRAY, CHAIR, PLANNING BOARD

- Recent Planning Board Meeting
- Citizens Complaint

Suzanne Gray, Barbara Young, Terry Silverman, Robin Blais, and Karen Craig met with the Selectmen to discuss the letter they received from the Selectmen regarding the Planning Board's meeting a few weeks ago. Ms. Gray discussed what had transpired at the meeting. Ms. Blais apologized to Mr. Kenison and shared that she made a mistake. Mr. Kenison accepted her apology. Mr. Baker asked what that did to the vote. Ms. Gray stated that it would void the votes because a member of the Planning Board wasn't allowed to vote. Mr. Baker agreed. Mr. Kenison asked about Paul Haynes and if the vote was invalid. Both Mr. Silverman and Ms. Gray stated the seat was still open and the Planning Board needed to discuss that. Ms. Young shared that Mr. Haynes abstained from his vote and voted on another matter. He was still a member of the Planning Board at that time. Ms. Gray shared that he was a sitting member of the Planning Board and chose not to run and now the question was if he wanted to be on the Planning Board, how that happens. He isn't an alternate. Mr. Baker asked if that seat remained open after election and if the Planning Board could vote in an alternate. Mr. Silverman shared that the Planning Board would make a recommendation and bring to the Selectmen. The Planning Board doesn't have an alternate at this time. Mr. Kenison stated it was in material that the Land Use Assistant sent out that an alternate couldn't be a member. They could serve for a year until the term was up. Ms. Gray shared that this was unusual to have a member resign just before the election and the deadline to be on the ballot having expired. Ms. Blais shared that Mr. Haynes didn't want to serve for three years. Ms. Bates asked if something could be put in the newsletter asking for interest in serving on the Planning Board. Mr. Silverman shared that Mr. Haynes has been there through the solar project, was a great proofreader and was a real asset. Ms. Favreau shared that Mike Methe approached Mr. Kenison about being interested. Ms. Bates asked about the number of members. Ms. Gray shared they needed guidance on the projects coming up.

Ms. Young shared that Mr. Haynes was interested in the one year position and he wouldn't have agreed if he didn't want to do it. Ms. Gray mentioned that she had talked with Mr. Haynes and he didn't indicate having any interest. Ms. Young would like to look at it again. Ms. Gray would discuss at tomorrow night's meeting. Mr. Baker shared that if they wanted the Selectmen to do something, they could put information on the website or in the Keene Sentinel.

Ms. Bates asked Ms. Gray about the rental application. Ms. Gray shared that the Economic Committee provided manpower and they don't pay anything towards the event. Ms. Gray also shared that they had police support last year. A Police Officer just stopped in but wasn't there all of the time. Mr. Kenison asked if what was being asked for this year was different. Ms. Gray shared it wouldn't be any different. Ms. Bates suggested contacting Caroline Tremblay.

Mr. Baker reviewed the citizen's complaint regarding the residency of Ms. Blais and shared that he didn't feel it needed to be addressed again. Ms. Gray thought that they had gotten legal opinion on it. Mr. Baker stated that it was fine and the Selectmen didn't have an issue with it.

Ms. Young asked if there was a reason Town meeting was held on the day of the election. Ms. Favreau shared that it has been done that way for years. Ms. Young shared that a lot happens during the day and we don't have the election results. Ms. Young shared that there was a gentlemen that was concerned about how the funding vote would affect the Town. Ms. Favreau shared that Town services can't be cut. Ms. Young was concerned that people didn't have time to process the information and asked that moving the Town meeting to another day be considered. Mr. Baker shared that they could look into the process to change the Town meeting.

Ms. Young shared that a couple of Funding Committee members have gotten mail that was concerning. Mr. Kenison asked if she was going to mention it to the Chief of Police and Ms. Young stated that she was.

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### CONSTRUCTION PERMIT

- Map 12, Lot 41-2

**Map 12, Lot 41-2** – Mr. Kenison made a motion to approve the Permit for Map 12, Lot 41-2. Ms. Bates seconded.

Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

The Selectmen agreed that an Occupancy Permit wasn't needed. Mr. Kenison noted that he read a Statute that suggests that an occupancy permit should be issued. The Selectmen would determine if an occupancy permit was needed.

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### APPOINTMENT TO THE RECREATION COMMISSION

- Shane Stephens

Mr. Baker shared that the Recreation Commission recommended Shane Stephens serve as a member of the Recreation Commission. Mr. Baker review Mr. Stephens' letter.

Mr. Kenison made a motion to appoint Shane Stephens to the Recreation Commission. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

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### **\*\*\* APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBER**

- **Steve Filipi**
- **Robert Handy**

Mr. Baker shared that the Zoning Board of Adjustment recommended Steve Filipi and Robert Handy serve as members of the ZBA.

Mr. Kenison made a motion to appoint Steve Filipi and Robert Handy to the Zoning Board of Adjustment for 3 year terms. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

### **\*\*\* APPOINTMENT OF ALTERNATE TRUSTEE OF TRUST FUND**

- **Richard Mays**

Mr. Baker shared that the Trustees of the Trust Fund recommended Richard Mays serve as an alternate Trustee of the Trust Fund.

Ms. Bates made a motion to appoint Richard Mays as an alternate Trustee of the Trust Fund. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

### **\*\*\* REVIEW APPLICATION FOR RENTAL OF TOWN PROPERTY**

Mr. Baker reviewed the Application for Rental of Town Property request from the Fitzwilliam Economic Committee – Caroline Tremblay for the Fair on the Town Common on October 5, 2019.

The Selectmen wanted to defer approval until meeting with the Economic Committee.

### **\*\*\* REVIEW LETTER FROM MITCHELL SAND & GRAVEL**

- **Use of Town Owned Property**

Mr. Baker reviewed the letter from Mitchell Sand & Gravel. They wanted to set up a job trailer, portable toilets, use as a lay down yard for supplies, equipment and machinery. The concern of the Selectmen was that it was a very small lot. Mr. Baker gave an overview of the work to be done at the intersection.

Ms. Favreau had drafted a letter to Mitchell Sand & Gravel for the Selectmen to sign. Ms. Favreau recommended notifying the two abutters on each side of the property as well and had drafted letters. The Selectmen agreed, approved and signed the letters.

Mr. Kenison made a motion to allow the use of Town property by Mitchell Sand & Gravel and the need for them to stay within the property boundaries as stated in the letter from the Selectmen. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

### **\*\*\* REVIEW NEWSLETTER ARTICLES**

The Selectmen reviewed and approved. Ms. Favreau would list the vacancies on each committee in next month's newsletter.

### **\*\*\* REVIEW LETTER FROM ROBERT FORD'S ATTORNEY**

Mr. Baker reviewed the letter from Attorney Silas Little regarding the reclassification of the road and the vote at Town Meeting. Ms. Bates asked if the vote at Town Meeting had given the Selectmen the right to reclassification. Ms. Favreau shared that it only gave the Selectmen authorization to re-class, which was a different process. Mr. Kenison noted that the first amendment which made it clear didn't pass. Ms. Favreau recommended the Selectmen get a legal opinion.

Dana Pinney shared that he has attorneys as well and there is a lot of interpretation. Mr. Pinney just wanted it to stop. Ms. Favreau shared that all of the information would be sent to Attorney Hoppock.

Mr. Baker asked for the language on the amended Petition Warrant Article. Ms. Favreau reviewed the original language and the amended language that passed. Mr. Baker felt that the Selectmen needed guidance on the wording "direct the Selectmen" and whether or not they needed to follow the Selectmen's process. Mr. Baker stated it could expose the Town to a lawsuit and if that was the case, he would be opposed to it. Ms. Bates agreed with Mr. Baker.

Dana Pinney shared that Robert Ford liked to try to give the impression that he was the only person on the road. Mr. Ford's vehicles both legal and non-legal go up and down the road. Mr. Pinney stated that he has maintained the road for many years

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and doesn't get paid for it. Mr. Pinney noted that the Town plows Troy's road and they plow out the end of Mr. Ford's driveway.

Mr. Baker stated that now the Selectmen have been directed. Ms. Bates shared that worse case, Mr. Pinney would need to put in another petition warrant article next year.

Mr. Kenison made a motion to ask the Town's attorney about our exposure if going forward with the directive. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

### \*\*\* DISCUSS APRIL SCHEDULE

Ms. Favreau mentioned that the Board used to meet on Wednesday evenings and asked if the Selectmen wanted to go back to Wednesday evenings or keep their meetings on Monday. Ms. Favreau shared that now was a good time to change if they wanted to. Ms. Favreau asked if the Selectmen wanted to have two daytime meetings each month.

After discussion, the Selectmen agreed to meet on: Wednesday, April 3<sup>rd</sup> at 7 p.m., Thursday, April 11<sup>th</sup> at 9 a.m., Tuesday, April 16<sup>th</sup> at 9 a.m., Wednesday, April 24<sup>th</sup> at 7 p.m., and Thursday, May 2<sup>nd</sup> at 9 a.m.

### \*\*\* REVIEW APPLICATION FOR PROPERTY TAX CREDITS/EXEMPTIONS – VETERANS

Ms. Favreau shared that they don't qualify as they haven't lived in NH for a year.

Mr. Kenison made a motion to deny based on residency requirements. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

### \*\*\* NON-PUBLIC SESSION RSA 91-A:3 II (c) – ELDERLY EXEMPTION

At 9:15 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 9:21 p.m. Mr. Baker made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

### OTHER BUSINESS:

- SELECTMEN'S OFFICE CLOSED ON FRIDAY, MARCH 22, 2019
- TOWN HALL CLOSED ON FRIDAY, MARCH 29, 2019
- MEETING CITY OF KEENE – The Selectmen reviewed. Ms. Bates would attend.

### ON-GOING BUSINESS:

- STEEPLE PROJECT

March Meeting Schedule:      7:00 P.m. – Monday, March 4, 2019  
   7:00 p.m. – Tuesday, March 12, 2019 – Town Meeting  
   7:00 a.m. – Monday, March 18, 2019  
   7:00 p.m. – Monday, March 25, 2019

Mr. Kenison made a motion to adjourn the meeting at 9:28 p.m. Ms. Bates seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Daniel Baker, Chairman

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Robyn Bates

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Charles Kenison  
Board of Selectmen